

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CRYSTAL S. CHAPMAN,	:	Civil No. 1:23-CV-01498
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MOTT’S LLP,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

**ORDER**

Before the court is the report and recommendation of United States Magistrate Judge Daryl F. Bloom recommending that the court dismiss the amended complaint filed by Plaintiff for failure to state a claim for which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). (Doc. 8.) No party has filed objections to the report and recommendation, resulting in the forfeiture of de novo review by this court.<sup>1</sup> *Nara v. Frank*, 488 F.3d 187, 194 (3d Cir. 2007) (citing *Henderson v. Carlson*, 812 F.2d 874, 878–79 (3d Cir. 1987)).

Following an independent review of the report and record, and affording “reasoned consideration” to the uncontested portions of the report, *EEOC v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (quoting *Henderson*, 812 F.2d at 879), to “satisfy [the court] that there is no clear error on the face of the record,”

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<sup>1</sup> Plaintiff did file a proposed second amended complaint on March 20, 2024. (Doc. 9.) However, that document presents no objections to the report and recommendation.

Fed. R. Civ. P. 72(b), advisory committee notes, the court finds that Judge Bloom's analysis is well-reasoned and fully supported by the record and applicable law.

Accordingly, **IT IS ORDERED THAT:**

1) The report and recommendation is **ADOPTED** in its entirety.

(Doc. 8.)

2) Plaintiff's claims under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act are **DISMISSED WITH PREJUDICE** for failure to state a claim.

3) Plaintiff's claim under the Family and Medical Leave Act is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim.

4) In light of Plaintiff's proposed second amended complaint, Doc. 9, this case is referred back to Judge Bloom for further pretrial management.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Judge  
Middle District of Pennsylvania

Dated: March 29, 2024